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TITLE 25

§ 213.4 *Bids; preference of lessee* Bids for the purchase of tracts at private sale under the regulations in this part, accompanied by 25 percent of the amount thereof, shall be filed, with the superintendent of the Five Civilized Tribes Agency, who shall forward same through the Commissioner of Indian Affairs to the Secretary of the Interior for consideration and approval if found acceptable. Where two or more bids are for the same tract, the highest and best bid will be given the preference: *Provided, however,* That where tracts are covered by leases, the lessee, if his lease is in good standing, shall have the preference or right to take same at the highest price offered by any responsible bidder at not less than the appraised value. No bid for less than the appraised value will be accepted.

§ 213.5 *Terms of sale.* The terms of sale shall be 25 percent of the purchase price in cash at the time of sale, and the remainder shall be paid in three equal annual payments, from date of approval of sale, whether or not any coal or asphalt is mined subsequent to the sale. Where mining operations are carried on a certain amount per ton for coal or asphalt mined shall be paid monthly to the superintendent for the Five Civilized Tribes to be applied to the purchase price as provided by § 213.9. All deferred payments shall bear interest at the rate of 5 percent per annum.

§ 213.6 *Default by purchaser.* If default be made in any payment when due, or the purchaser fails for a period of 60 days to report the tonnage of coal mined and pay the amount specified in § 213.9 on any coal or asphalt mined, all rights of the purchaser thereunder shall, at the discretion of the Secretary of the Interior, cease, and be thereby extinguished, and the coal and asphalt deposits shall be taken possession of by the Secretary of the Interior for the benefit of the Choctaw and Chickasaw Nations, and any and all money, including interest, paid on the purchase price including moneys deposited under § 213.9 shall be forfeited to said nations. Purchaser shall have the right to pay all of the purchase money or any deferred payment, or any portion thereof at the time of the sale or at any time before the same is due, interest to be computed to date of receipt of payment.

§ 213.7 *Payments* All payments shall be made to the superintendent for the Five Civilized Tribes, unless otherwise directed by the Commissioner of Indian Affairs.

§ 213.8 *Supervision of mining operations.* Until full and final payment is made for any tract, leased or unleased, all mining operations thereon shall be conducted under the supervision of the representative of the United States Geological Survey at McAlester, Okla., and the mining trustee of the Choctaw and Chickasaw Nations, or such other officer or officers as the Commissioner of Indian Affairs may designate, and in accordance with existing laws, and departmental rules and regulations governing the leasing of the segregated coal and asphalt in said nations. The purchaser of any tract and the lessee thereof, their grantees, lessees, assigns, or successors shall be required to account monthly under oath to said mining trustee or officer or officers designated by the Commissioner of Indian Affairs, the number of tons of coal and asphalt mined and removed from such tract, and such mining trustee or officer or officers shall have the right to examine all books and records of mining operations of such purchaser, lessee, grantees, assigns, or successors.

Cross Reference For regulations governing the leasing of segregated coal and asphalt deposits of the Choctaw and Chickasaw Nations, see Part 207 of this chapter.

§ 213.9 *Royalty payments to be credited on purchase price.* (a) Until full and final payment is made for any tract, leased or unleased, sold under the regulations in this part, the purchaser shall pay, or cause to be paid to the superintendent or officer in charge of the Five Civilized Tribes Agency, not less than 8 cents per ton for all coal mined (mine run), and not less than 10 cents per ton for asphalt mined, such payments to be held by said superintendent or officer in charge, to be applied on the purchase price, and upon request of the purchaser may be applied in payment of any installment, when due.

(b) All royalty paid on coal or asphalt mined subsequent to the date of approval of the sale shall belong to the purchaser, subject to the requirement of a certain amount per ton as above stated, to be paid to the superintendent or officer in charge of the Five Civilized Tribes Agency, to be applied on the purchase

price, which is to protect the Choctaw and Chickasaw Nations from loss on account of coal removed in case the tract should be forfeited before final payment is made.

§ 213.10 *Surface rights* The sales under the regulations in this part do not include the surface or right thereto, except that all sales of the coal and asphalt shall be upon the conditions contained in section 3 of the act of February 19, 1912 (37 Stat. L. 68).

§ 213.11 *Certificate of purchase.* Immediately after the approval by the Secretary of the Interior of any sale, the purchaser shall be furnished with a certificate of purchase describing the tract purchased and setting forth the conditions of the sale and the terms upon which payments are to be made and title obtained, and stating until the full purchase price has been paid, all mining operations shall be conducted under the supervision of the said representative of the United States Geological Survey and Mining Trustee of the Choctaw and Chickasaw Nations, or such other officer or officers as may be designated by the Commissioner of Indian Affairs, which certificate of purchase will entitle the purchaser to possession of the coal and asphalt in the tract purchased by him, subject to all of the conditions of the act of Congress and the regulations in this part prescribed thereunder authorizing the sale.

§ 213.12 *Issuance of patent.* As soon as full and final payment is made for any

tract of coal and asphalt sold under the regulations in this part, an appropriate patent shall be issued executed by the principal chief of the Choctaw Nation and the Governor of the Chickasaw Nation conveying to the purchaser any and all coal and asphalt underlying the entire surface of such tract, subject to the rights of any lessee therein.

§ 213.13 *Rights-of-way.* All tracts will be sold subject to such county roads and public highways as may have been established by condemnation proceedings or otherwise, before the date of the sale. Tracts traversed by lawful rights-of-way for railroads or other purposes shall be sold subject to such rights of way.

§ 213.14 *Right to reject bids.* The right is reserved to reject any and all bids and to approve or disapprove any and all sales.

§ 213.15 *Information* Information concerning the tracts subject to sale under regulations may be secured from the superintendent of the Five Civilized Tribes Agency, Muskogee, Okla.

§ 213.16 *Additional regulations.* If and when it is deemed advisable to hold a public auction sale of coal and asphalt deposits further instructions and regulations will be prescribed.

§ 213.17 *Reappraisements* If at any time it is deemed advisable to have any of the tracts of coal and asphalt deposits covered by the regulations in this part reappraised, instructions will be given to that effect.

SUBCHAPTER S—MONEYS; TRIBAL AND INDIVIDUAL

Cross Reference For credit to Indians, see Parts 21–28 of this chapter.

Part 221—Individual Indian Money Regulations

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 221.40 Individual budgets not in excess of \$10,000.

AUTHORITY: §§ 221.1 to 221.40 issued under R. S. 161; 5 U. S. C. 22

SOURCE: §§ 221.1 to 221.40 contained in individual Indian money regulations, Jan. 30, 1928, except as noted following sections affected.

CROSS REFERENCE: For regulations pertaining to the determination of heirs and approval of wills, see Part 81 and §§ 161.30-161.320 of this chapter

§ 221.1 *Individual Indian moneys.* Individual Indian moneys are funds, regardless of derivation, belonging to individual Indians which come into the custody of a disbursing agent.

§ 221.2 *Authority.* Requests for authority to draw checks against individual money should be made in triplicate on Form 5-139,¹ carefully prepared for the approval of the Commissioner of Indian Affairs except that the date of approval and the number should be left blank. All requests for authority must show clearly the necessity for the proposed expenditure and, where it is intended to pay directly to the depositor for unrestricted use, his competency to handle without supervision the amount requested.

§ 221.3 *Authority limited.* Such an authority lapses at the end of the fiscal year.

§ 221.4 *General allowances.* Whenever necessary, superintendents are hereby authorized to draw checks for monthly allowances of not to exceed \$50 in favor of minors or adult Indians. This section should be cited as authority therefor. Specific authority must be obtained for larger amounts.

[Regs., Jan. 30, 1928, as amended Dec. 1, 1930]

§ 221.5 *Competent adults' funds.* Disbursing agents are hereby authorized to

¹ Forms may be obtained from the Commissioner of Indian Affairs, Washington 25, D. C.

turn over without restriction to reasonably competent adult Indians not to exceed \$500 in any one year, this section to be cited as authority therefor. The purpose of such payments to adult Indians not incapacitated by age or physical or mental infirmity is that they may be encouraged to assume personal responsibility and to acquire that self-reliance and practical business experience which will enable them to become independent and progressive members of the community.

[Regs., Jan. 30, 1928, as amended Dec. 1, 1930]

§ 221.6 *Competent Indian funds.* Authority is hereby granted disbursing agents, in their discretion, to turn over to any Indian who has received a patent in fee to all of his allotted land any individual funds then on deposit to his credit or which may accrue to his credit at any future time. Whether inherited lands owned by any particular Indian are covered by trust or fee patents, shall have no bearing on the payment of his funds as provided for in this section.

[Regs., Jan. 30, 1928, as amended Dec. 1, 1930]

§ 221.7 *Payment for medical services.* Authority is hereby granted disbursing agents to draw checks against the accounts of adult and minor Indians, living or dead, in amounts not exceeding \$500 in any one case to cover medical, surgical, and hospital treatment, including nurses' services.

[Regs., Jan. 30, 1928, as amended Dec. 1, 1930]

CROSS REFERENCES: For medical regulations, see Part 84 of this chapter. For hospitalization regulations, see Part 85 of this chapter.

§ 221.8 *Improvement expenditures.* Authority is hereby granted disbursing agents to make expenditures of not to exceed \$3,000 per annum from the accounts of adult Indians for seed, implements, livestock, and other agricultural purposes; and for the construction, repair, and equipment of houses, barns, outbuildings, fences, corrals, wells, and other necessary structures on their allotments.

[Regs., Jan. 30, 1928, as amended Dec. 1, 1930]

§ 221.9 *Funeral and probate expenses.* Authority is hereby granted disbursing agents to draw checks against a decedent's account for payment of actual funeral expenses not to exceed \$250. Funeral expenses in excess of \$250 from a decedent's account may be allowed in

exceptional cases when the value of the estate clearly justifies, but only upon the specific approval of the Department. When there are no funds to the credit of the decedent and funeral expenses are borne by relatives or heirs, the amount expended from the account of any one Indian shall not exceed 10 percent of the amount on deposit to his credit and the total amount so expended in payment of funeral expenses shall not exceed \$250. Authority is also granted covering payments of probate fees required by the act of January 24, 1923 (42 Stat. 1185; 25 U. S. C. 377), as follows:

Probate Fees:	
\$250 and not exceeding \$1,000.....	\$20
Over \$1,000 and less than \$2,000.....	25
\$2,000 and not exceeding \$3,000.....	30
Over \$3,000 and not exceeding \$5,000.....	50
Over \$5,000 and not exceeding \$7,500.....	65
Over \$7,500.....	75

[Regs., Jan. 30, 1928, as amended Dec. 1, 1930]

CROSS REFERENCE: For probate procedure and for further information concerning fees, see Part 81 of this chapter.

§ 221.10 *Pupils' expenses; nonreservation boarding schools.* A disbursing agent at a nonreservation Indian boarding school who has in his custody individual money belonging to pupils is hereby authorized to make payments therefrom in sums not exceeding \$250 yearly and to pay from individual funds to a pupil about to return home on vacation, or permanently, such amount as may be necessary to defray the expenses of the trip.

[Regs., Jan. 30, 1928, as amended Dec. 1, 1930]

§ 221.11 *Minors' funds transferred.* During any 1 year not more than \$350 of the funds of a minor may be transferred by a reservation disbursing agent to the superintendent of a nonreservation Indian boarding school.

[Regs., Jan. 30, 1928, as amended Dec. 1, 1930]

§ 221.12 *Disbursement of minors' funds.* Disbursing agents are hereby authorized to disburse for the benefit of a minor of school age in regular attendance at school or who has been excused therefrom on account of physical disability or other good reason, not more than \$50 in any one month or \$100 in a single year.

§ 221.13 *School expenses.* Authority is hereby granted superintendents to dis-

burse individual Indian money in conformity with the school rules from the funds of minors or their parents who have ample financial resources in such amounts as may be required for their tuition or other expenses in a Government, public, private, or mission school, not to exceed \$250 a year.

[Regs., Jan. 30, 1928, as amended Dec. 1, 1930]

CROSS REFERENCE: For regulations pertaining to the education of Indians, see Parts 41-47 of this chapter.

§ 221.14 *Funds of runaway pupils.* Disbursing agents having individual Indian money in their hands belonging to runaway pupils not returned to the school shall transmit such funds to the superintendent of the reservation where the pupil resides after having reimbursed the school for any expense incurred in attempting to return such pupils to the school. If, in the judgment of the superintendent, the circumstances justify charging the pupil with the cost of clothing, etc., the facts should be reported to the Bureau of Indian Affairs with appropriate recommendation.

§ 221.15 *Funds of married minors.* Disbursing agents are hereby authorized to consider married minors, regardless of age, the same as adults and to disburse their funds in conformity with the regulations in this part.

[Regs., Jan. 30, 1928, as amended Dec. 1, 1930]

§ 221.16 *Funds of minors under school age.* Authority is hereby granted superintendents to disburse not to exceed \$25 in any quarter nor \$100 in a single year from the accounts of minors under school age when actually needed for the proper care and direct benefit of such minors.

§ 221.17 *Funds of minors for farming operations.* Authority is hereby granted disbursing agents to use funds of minor children not to exceed \$200 yearly in any one family for the purchase of seed or farming implements when the parents do not have funds that can be used for such purposes and the superintendent is satisfied that such action is necessary.

[Regs., Jan. 30, 1928, as amended Dec. 1, 1930]

§ 221.18 *Disposition of inactive accounts.* Where an adult Indian's account is \$100 or less and is not likely to be increased, authority is hereby granted disbursing agents to pay the entire balance to the depositor for his unrestricted use; and where such an Indian lives permanently away from the jurisdiction,

to transfer sums in excess of \$100 to the superintendent nearest to whom the Indian resides. This section applies only to "dead" accounts and should not be involved where periodic deposits are made from rentals, annuity payments, or per capita payments or other sources.

[Regs., Jan. 30, 1928, as amended Dec. 1, 1930]

§ 221.19 *Disposition of voluntary deposits.* A disbursing agent who has in his custody moneys belonging to adult Indians earned by their own efforts and voluntarily placed by them in his hands for safekeeping is hereby authorized to make payments therefrom at any time and in any amount not to exceed the total deposit upon the request of the depositor. The words "voluntary deposit" should be noted in the account covering such expenditure.

§ 221.20 *Payment of debts.* Debts of Indians will not be paid from funds under the control of the United States, including individual Indian moneys, unless previously authorized by the superintendent except in emergency cases necessitating medical treatment or in the payment of last illness or funeral expenses as elsewhere provided in this part and any other exceptional cases where specific authority is granted by the Bureau of Indian Affairs.

CROSS REFERENCE: For payment of judgments from individual Indian moneys, see §§ 161.26 and 161.26C of this chapter.

§ 221.21 *Unauthorized credit.* Persons who extend unauthorized credit to Indians do so at their own risk and must look to the debtors themselves for payment. However, all Indians should be urged to pay their just and legitimate debts so far as they may be able. For this purpose superintendents may upon request of the depositor turn over to any competent adult Indian not to exceed the sums specified in § 221.5, which should be cited as authority in such cases.

§ 221.22 *Claims against decedents.* Claims against the estates of deceased Indians may be paid (a) if previously authorized, (b) if for last illness or funeral expenses, (c) if just and the heirs agree to or request payment, (d) if elsewhere authorized in this part. Any other debts of decedents should be presented to the examiner of inheritance and by him transmitted to the Bureau with superintendent's recommendation for consideration.

CROSS REFERENCE: For regulations pertaining to the duties of the examiner of inheritance in determination of heirs and approval of wills, see Part 81 of this chapter.

§ 221.23 *Repaying Government expenditures.* Authority is hereby granted disbursing agents to draw checks against individual funds in all cases where the Indian has signed an agreement to repay the Government therefrom for expenditures in his behalf and specifically authorizing the superintendent to do so. Discretion should be used in the exercise of this authority to the end that the Indians be not left destitute thereby. This does not apply to purchases from reimbursable funds and agreements thereunder.

§ 221.24 *Signature of illiterates.* Every Indian who can not read should be required to indorse checks payable to his or her order and sign receipts and other documents by making an imprint of the ball of his right thumb (or the left if he has lost his right) after his name. This imprint should be clear and distinct (showing the central whorl and striations) and witnessed by two reputable persons whose addresses and occupations should be given opposite their names. If an Indian who can not write has lost both thumbs, his signature may be made by the mark "X" before two witnesses.

§ 221.25 *Thumb mark.* Before any thumb mark is recognized the Indian shall have made his thumb mark signature for record (Form 5-416)* before two witnesses and certified by the disbursing agent, farmer, or other employee personally acquainted with him before an officer authorized by law to administer oaths.

§ 221.26 *Endorsements by others.* If an Indian because of legal disability, such as insanity, etc., can not give a proper quitclaim or for physical reasons can not sign his name or make his thumb mark, or is a minor, the superintendent, fully explaining the circumstances, will recommend to the Commissioner of Indian Affairs that the head of the family, if such there be, or if not the disbursing agent, be authorized to indorse checks payable to his order. The form of the signature should be: "John Doe, by Charles Thomas, Supt. and S. D. A., ex

* Forms may be obtained from the Commissioner of Indian Affairs, Washington 25, D. C.

officio guardian." The disbursing agent should note the authority therefor on the ledger account of the Indian. This does not apply to checks for interest on Liberty bonds, which is covered by book-keeping and accounting regulations.

§ 221.27 *Personal property.* If a disbursing agent receives authority to draw a check against individual Indian money for a specific purpose he must not disclose the extent of the authority to any dealer or other interested third person before securing quotations or bids. When personal property, such as horses, wagons, implements, etc., is purchased for an Indian, singly or in the aggregate of a value of \$50 or more, the superintendent shall take a bill of sale therefor in his name as vendee expressly in trust for the Indian. Where the State law provides for the recordation of bills of sale, the original should be filed permanently in the agency records; where the State law requires the filing of the original a copy should be kept at the agency. If property held under a bill of sale is wrongfully in the hands of a person other than the Indian owner the superintendent will make demand for its return and in the event of refusal at once notify the proper United States attorney, inclosing a copy of the bill of sale and asking that steps be taken to recover the property.

§ 221.28 *Minors' rentals of restricted lands.* Unless otherwise provided moneys derived from the rental of restricted lands belonging to minors shall be deposited by the superintendent as "Individual Indian money" and credited to the accounts of the allottee on the agency records. The term "minors" as used in this part shall include all males under the age of 21 years and all females under the age of 18 years, except as otherwise provided in this part.

§ 221.29 *Deceased Indians' funds.* The funds of a deceased Indian should be carried on the records to the credit of the estate until the heirs have been legally determined, when, after the payment of all proper claims against the estate, including reimbursable and other debts due the United States, the balance (if any) will be transferred in the correct proportions to the individual accounts of the heirs. Except as otherwise provided in this part, the disbursing agent shall not turn over or pay to any person the funds of an Indian prior to the deter-

mination of the heirs without specific authority from the Commissioner of Indian Affairs.

CROSS REFERENCES: For regulations pertaining to the determination of heirs and approval of wills, see Part 81 and §§ 161.30 and 161.32C of this chapter.

§ 221.30 *Withdrawal of individual funds.* If the necessity arises for withdrawing individual funds except as provided in this part, the disbursing agent shall submit a full explanation of the circumstances with a request in duplicate on Form 5-139 for authority to draw checks against the account. Requests submitted under this section shall be approved by the Commissioner of Indian Affairs, the Assistant Commissioner of Indian Affairs, or Acting Commissioner of Indian Affairs.

§ 221.31 *Registering authority for expenditures.* Upon receipt of each authority for the expenditure of individual Indian money disbursing agents should give a serial number thereto which, together with the date of the authority, should be noted on the vouchers covering the transaction. A new series of numbers should be maintained for each fiscal year.

§ 221.32 *Taxes and insurance.* Authority is hereby granted superintendents to draw checks against the accounts of minor and incompetent adult Indians to cover taxes legally assessed against unrestricted property owned by such Indians and for the payment of premiums on property insurance.

§ 221.33 *Purchase orders.* Authority is hereby granted superintendents in their discretion to issue orders to Indians who have funds to their credit and who are incompetent or extravagant, such orders to cover purchase of necessary supplies such as food, clothing, implements, seeds, etc. These orders are to be headed "To any dealer" and the total sum to be expended should be clearly shown and notation added to the effect that no cash is to be given to the Indian under any circumstances. No order should be issued where the Indian has no funds to his credit. Superintendents will be held personally responsible for the indebtedness if these instructions are disregarded. If an Indian is in need and is expecting funds from land sale, rentals, or annuity payments, etc., such case should be reported to this office.

§ 221.34 *Payments for deserted dependents.* Disbursing agents are hereby authorized to disburse from the account of any adult Indian who has deserted his or her family such sums, not to exceed \$50 per month, as may be absolutely necessary for the support of his or her minor child or children in cases where neither the deserted parent nor children have funds.

[Regs., Jan. 31, 1928, as amended Dec. 1, 1930]

§ 221.35 *Purchase tombstones.* Disbursing agents are hereby authorized to expend not to exceed \$100 from accounts of deceased Indians in the erection of suitable monuments at their graves upon request of heirs or near relatives. Also, to permit individual adult Indians to expend from their accounts not exceeding \$100 for such purposes provided their bank balances are sufficient to justify such expenditure.

[Regs., Dec. 1, 1930]

§ 221.36 *Advances to heirs.* Disbursing agents are hereby authorized to disburse in their discretion not to exceed \$100 from a decedent's estate to each probable heir prior to the formal determination of the heirs to the estate provided the disbursing agent is satisfied beyond a reasonable doubt that the recipient will eventually be declared an heir to the estate, and provided that the value of the estate is sufficient to safely justify such payments.

[Regs., Dec. 1, 1930]

CROSS REFERENCE: For regulations pertaining to the determination of heirs and approval of wills, see Part 81 and §§ 161.30-161.320 of this chapter.

§ 221.37 *Surplus funds; Osage Agency.* Authority is hereby granted the disbursing agent of the Osage agency to disburse upon application of the Indian and subject to approval of the superintendent or other official in charge surplus funds of individual Indians in amounts not exceeding \$1,000 at any one time.

[Regs., Dec. 1, 1930]

§ 221.38 *Statements.* Superintendents or disbursing officers are hereby instructed to furnish semiannually to each Indian under their jurisdiction who has an individual Indian money account a statement of receipts and disbursements similar to the periodic statements furnished by banks. Instructions are also given that there be posted in the agency office and in the substations, a similar

semiannual statement covering tribal funds.

[Regs., Dec. 1, 1930]

§ 221.39 *Funds accruing from other governmental agencies.* Superintendents and disbursing officers are hereby authorized to deposit as "individual Indian money," funds received from the Veterans Administration or other governmental agency in pursuance of the act of February 25, 1933 (47 Stat. 907; 25 U. S. C. 14), and which are due incompetent adult Indians or minor Indians for whom no legal guardian or other fiduciaries have been appointed; such funds to be handled and accounted for, and disbursed for the use and benefit of such beneficiaries, in accordance with existing law and the regulations in this part. In view of the nature of these funds, superintendents should keep their records in such manner that they will be prepared to submit detailed reports either to the Bureau of Indian Affairs or to the Veterans Administration or other Federal agency upon request.

[Regs., May 12, 1933]

§ 221.40 *Individual budgets not in excess of \$10,000.* The superintendent of the Five Civilized Tribes Indian Agency, Oklahoma, and the general superintendent of the Western Oklahoma Consolidated Agency are hereby authorized to approve budgets in individual cases and to make expenditures in accordance with such approved budgets in any case where the total amount involved does not exceed \$10,000 per annum. In such cases, the preceding sections of this part are inapplicable.

[18 F. R. 4188]

Part 222—Deposit and Expenditure of Individual Funds of Members of the Osage Tribe of Indians Who Do Not Have Certificates of Competency

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AUTHORITY: §§ 222.1 to 222.35 issued under R. S. 161; 5 U. S. C. 22.

SOURCE: §§ 222.1 to 222.35 appear at 13 F. R. 476.

§ 222.1 *Definitions.* When used in the regulations in this part the following words or terms shall have the meaning shown below:

(a) "Secretary" means the Secretary of the Interior.

(b) "Commissioner" means the Commissioner of Indian Affairs.

(c) "Superintendent" means the superintendent of the Osage Agency.

(d) "Quarterly payment" means the payment of not to exceed \$1,000 which is made each fiscal quarter to or on behalf of an adult Indian, from the following sources:

(1) The pro rata distribution of tribal mineral income and other tribal revenues.

(2) The interest on segregated trust funds.

(3) Surplus funds in addition to the income from the foregoing sources in the amount necessary to aggregate \$1,000 when the income from those sources is less than \$1,000 and the Indian has a balance of accumulated surplus funds in excess of \$10,000.

(e) "Surplus funds" means all those moneys and securities readily convertible into cash, except allowance funds and segregated trust funds, which are held to the credit of an Indian at the Osage Agency and which may be disbursed, expended or invested only upon authorization by the Secretary. The term includes:

(1) That portion of the quarterly distribution of tribal income and interest on segregated trust funds, in excess of \$1,000, belonging to an adult Indian.

(2) The proceeds, including appreciation, of the sale or conversion of restricted real or personal property (other than partition sales).

(3) Payments made by insurance companies or others for loss or damage to restricted real or personal property.

(4) All moneys and securities, other than segregated trust funds, to the credit of an Indian who is less than 21 years of age (except the income from restricted lands payable as provided by § 222.3.)

(5) Funds and securities placed to the credit of an Indian upon the distribution of an Osage estate.

(f) "Allowance funds" means that income payable to or on behalf of a living adult Indian, the expenditure and disbursement of which is not subject to supervision unless authorized pursuant to the procedure contained in § 222.5. The term includes:

(1) The quarterly payment in an amount not to exceed \$1,000.

(2) The rentals and income from restricted lands owned by the Indian.

(3) The rentals and income from restricted lands owned by the minor children of the Indian, as provided in § 222.3

(4) Income from investments.

(5) Interest on deposits to the credit of the Indian.

(g) "Segregated trust funds" means those moneys held in the United States Treasury at interest to the credit of an Indian which represent pro rata shares of the segregation of tribal trust funds and the proceeds of the partition of restricted lands.